

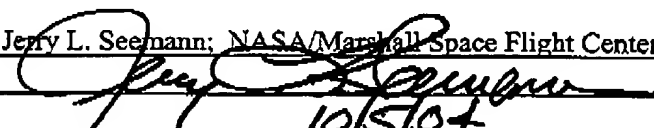
PTO/SB/21 (04-04)


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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/728,407	
	Filing Date	December 1, 2000	
	First Named Inventor	Kenneth G. Ricks	
	Art Unit	2123	
	Examiner Name	Stevens, Thomas H.	
Total Number of Pages in This Submission	36	Attorney Docket Number	MFS-31524-1

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Declaration of Kenneth G. Ricks
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Response to Amendment - (20 pages)	
	Drawings - (7 pages)	
	Declaration - (5 pages)	
	Petition for Extension of Time - (1 page)	
	Request and Agenda for Telephonic Conference (3 pages)	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Jerry L. Seemann; NASA/Marshall Space Flight Center
Signature	
Date	10/5/04

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Abbie J. Johnson		
Signature		Date	10/05/2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth G. Ricks
Serial No.: 09/728,407
Filed: December 1, 2000
For: System And Method For Creating Architectural
Descriptions Of Real Time Simulations
Group Art Unit: 2123
Examiner: Thomas H. Stevens
Attorney's Docket No.: MFS-31524-1

VIA FACSIMILE NO. (703) 872-9306

REQUEST AND AGENDA FOR TELEPHONE CONFERENCE

Dear Sir:

The Applicant requests that a telephonic interview be granted in accordance with 37 CFR 1.133 and MPEP § 713.01. This paper is submitted in lieu of form PTOL-413A.

Tentative Participants

- | | |
|------------------------------|------------------------------------|
| (1) Examiner | (2) Inventor Ricks |
| (3) NASA Patent Counsel | (4) NASA Contractor Patent Counsel |
| (5) Prior Art Inventor Wells | |

Proposed Date and Time of Interview

Applicant requests that the Examiner telephone the Applicant at 256-544-6580 after receipt of this Response to the Office Action mailed April 5, 2004. Applicant further suggests that the Examiner delay taking further action on the application prior to granting this interview.

Exhibits to be Shown or Demonstrated

None

Issues to be Discussed

Issue (1): The rejection of Claims 1 – 25 under 35 U.S.C. § 103 based on Wells in view of DOME and, more specifically, the fact that some of the rejected claims appear to include limitations that are not taught or suggested by the Wells and DOME references cited and relied upon by the Examiner; and the fact that portions of the Wells and DOME references cited and relied upon by the Examiner do not appear to teach or suggest some of the features indicated by the Examiner. Specific limitations that are not taught or suggested by the Wells and DOME references include:

- (a) the limitation of a “processes and real system hardware” recited in each of Claims 1, 5, 12, 17 and 24;
- (b) the limitation of a “set of node elements includ[ing] ...continuous processes.” recited in each of Claims 1, 12 and 24;
- (c) the limitation of a “synchronization with data transfer between processes” recited in each of Claims 5, 17 and 24
- (d) the limitation of a “a synchronization mechanism includ[ing] a sync release time relative to an execution time of the source process and a sync frequency” recited in each of Claims 7 and 19.

Issue (2): Objective evidence relevant to the issue of obviousness, specifically the failure of others to solve a problem encountered by those skilled in the art and the success of the inventors in solving this problem as evidence overcoming obviousness.

Issue (3): The possibility of amending or further amending any of the rejected claims to include limitations that are not taught or suggested by the references relied upon by the Examiner in order to place those claims in condition for allowance.

If the Examiner has any questions regarding this Request for Telephone Interview, the undersigned attorney can be contacted at (256) 544-6580.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jerry L. Seemann", followed by the date "10/5/04".

Jerry L. Seemann
Registration No. 33454
LS01/OFFICE OF CHIEF COUNSEL
NASA/MARSHALL SPACE FLIGHT CENTER

ATTORNEY FOR APPLICANT

The above-referenced attorney may be contacted at:

Direct Numbers: (256) 544-6580 (office)
(256) 544-0258 (facsimile)